

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/117,799 08/06/98 FRAAS

W P98.1428

WM02/0925

SCHIFF HARDIN & WAITE
PATENT DEPARTMENT
6600 SEARS TOWER
CHICAGO IL 60606-6473

EXAMINER

TSEGAYE, S

ART UNIT	PAPER NUMBER
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2662

DATE MAILED:

09/25/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)	
	09/117,799	FRAAS ET AL.	
	Examiner	Art Unit	
	Saba Tsegaye	2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 July 2001.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-4 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-4 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____ .
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brueckheimer.

Brueckheimer et al. disclose, in Fig 2, a STM Backplane, an Egress frame memory, an Egress chain memory, an Egress chain processor and cell assembly (claimed means for converting TDM data into ATM cells). The STM bus is available on the backplane of the equipment. This is used as the interface between the equipment, which adapts external interfaces such as Analogue of ISDN lines and the equipment, which performs the intrinsic function such as switching (as in claim 2). See page 3, lines 21-32. Further, Brueckheimer et al. describe, on page 2, lines 7-17, the narrowband services within that virtual circuit having permanently assigned timeslots whereby to retain timeslot sequence integrity throughout the adaptation process (claimed a means for allocating a virtual ATM channel to each time-division multiples channel). Brueckheimer et al., on page 5, lines 9-15, describe that the cell disassembly process then checks for phase synchronism between egress and ingress function (as in claim 4). See page 5, line 25 - page 6, line 8.

Brueckheimer et al. does not expressly indicate an exchange termination and a line termination. However, the features of converting from TDM to ATM and vice versa are part of the invention disclosed by Brueckheimer et al., which is the same feature in the application. The

application also includes a LT to interface to LAN and ISDN devices, which is well known that the STM interface to LANS and ISDN's. Furthermore, the ET is a switch device, which is connected to the ATM through an IWF to convert the protocol, is disclosed in Brueckheimer et al. in converting STM to ATM (page 3, lines 23-32). Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to include LT and ET in order to connect more devices or equipments to the interface and to reduce complexity in the communication system.

Response to Arguments

3. Applicant's arguments with respect to claim 1-4 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Norizuki et al. discloses a system and a method for controlling interface between PBX and ATM multiplexing transmitter.

Skoog discloses a device for adapting narrowband voice traffic of a local access network to allow transmission over a broadband asynchronous transfer mode network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saba Tsegaye whose telephone number is (703) 308-4754. The examiner can normally be reached on Monday-Friday (7:30-5:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (703) 305-4744. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9314.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Seema S. Rao
Seema S. Rao
Primary Examiner
Art Unit 2661

ST
September 19, 2001